



Connecticut Department of
**ENERGY &
ENVIRONMENTAL
PROTECTION**

Public Hearing – February 21, 2013
Committee on Children

Testimony Submitted by Commissioner Daniel Esty
Presented by Deputy Commissioner Susan Whalen

Raised House Bill No. 5566 – AN ACT CONCERNING CHILD SAFETY BY RESTRICTING THE PLACEMENT OF LEGHOLD TRAPS

Thank you for the opportunity to present testimony regarding Raised House Bill No. 5566 - AN ACT CONCERNING CHILD SAFETY BY RESTRICTING THE PLACEMENT OF LEGHOLD TRAPS. The Department of Energy and Environmental Protection (DEEP) welcomes the opportunity to offer the following testimony.

Despite the fact that Connecticut is a densely populated state, many species of wild animals occur at artificially high densities due to our land use practices. We must acknowledge that the balance of nature in our state has been severely disrupted by man's activities. Regulated trapping, including the careful and judicious use of foothold traps, serves a very important role in reducing human/wildlife conflicts in the State. Therefore DEEP must oppose Raised Bill House No. 5566.

There are two vital approaches to managing threats to public health and safety associated with overabundant wildlife populations: intervention and population control. There are a variety of tools available to intervene once a problem animal has been identified, including the services provided by Nuisance Wildlife Control Operators as well as regulated trapping. Regulated hunting and trapping are a critical measure to address the abundance of various wildlife species. The regulated use of foothold traps is, in many instances, the only effective tool for controlling the abundance of certain wildlife populations, like coyotes, on public and private lands. Additionally, the use of such traps is more highly regulated in Connecticut than almost all states in the country, including measures for mandatory training, mandatory trap check intervals and mandatory permission of the landowner. As a result, Connecticut's trappers have an outstanding public safety record, with no reports of any child or adult being inadvertently caught in a legally placed trap. In contrast, DEEP's scientific studies, combined with citizen complaints, indicate increasingly overabundant populations of coyote, beaver and other wildlife that frequently result in threats to public health and safety, and property damage.

There are three distinct elements to the proposed bill: one, the reporting of inadvertent captures of non-target animals; two, areas in which the use of foothold traps would be prohibited; and, three, an exception to the prohibition for the taking of nuisance wildlife as authorized by the commissioner of the Department of Energy and Environmental Protection. Each such element has a different suite of consequences, the most problematic being creating unproductive and burdensome obligations, limiting the ability of private land owners, state and municipal officials to make decisions about wildlife management on lands under their jurisdiction, and inflating threats to public health and safety.

Current law establishes the design criteria to which all foothold traps must conform, and the standards for their use. Under those standards, it is exceedingly rare that non-target animals are trapped. Rather, inadvertent captures occur nearly exclusively in traps that are non-conforming and otherwise illegal. Reports of illegal trap use are investigated and prosecuted under existing law. The bill's proposal to create and maintain reporting procedures, portals and a database would serve only to compel already law abiding trappers to report, while poachers using illegal traps would have no incentive to do so.

With regard to the prohibition on using foothold traps with 100 feet of various buildings and physical structures, the wording of the proposed bill is unclear and thus would render these provisions of the bill unenforceable. For instance, there is no definition of the spatial extent associated with a school, daycare center, municipal playground, public boat launch, roadside rest area, public picnic area or public campground. Should the standard apply to the school building, the lands affected would be limited to those under the direct control of the school administrator who currently has the authority to prohibit such activities under existing laws. This is largely true should the standard apply to areas commonly occupied by students. While administrators commonly prohibit activities like the use of foothold traps on school properties, it is conceivable that others, particularly administrators responsible for schools with exceeding large land holdings, may find a specific reason that such use is necessary and prudent. Adoption of the proposed bill would limit the tools available to such administrators and unnecessarily expose students to increased safety threats.

Similarly, DEEP policy prohibits the taking of wildlife, whether by hunting or trapping, in state parks unless there is a specific and overwhelming need to control one or more wildlife populations. This construct also applies to local officials responsible for the management of municipal parks. Since the majority of playgrounds, boat launches and campgrounds occur within a state or municipal park, existing law establishes the means to prohibit the use of foothold traps where they are not warranted. Adopting this measure would increase public health and safety threats by removing a valuable tool that municipal and state managers may need to address overabundant wildlife.

The prohibition related to hiking trails is not defined so as to be enforceable. First, the proposed bill does not clearly and concisely define what constitutes a public hiking trail; formal and informal trails used by the public exist in all strata of public and private ownership and control. Second, it is common that trails, whether public hiking trails or some other designation, are located near waterways and other areas important to controlling expanding wildlife populations. These trails commonly occur on public, municipal, state and federal lands where the land manager may identify a need for directed trapping activities. The bill would unnecessarily inhibit such land owners' authority to address public health and safety threats.

In DEEP's view, the bill would inhibit landowner's use of the only practical devices to control overabundant populations of foxes, raccoons and to a lesser extent, beavers; all species that can threaten the health, safety and property of Connecticut residents. Foothold traps are also the only practical live capture device for coyotes, a species that is abundant in the state and increasingly the source of citizen complaints due to killing livestock and pets and displaying bold behavior towards humans.

The current use of foothold traps in Connecticut conforms to the Best Management Practices (BMPs) established by the Association of Fish and Wildlife Agencies. The recent BMP research conducted in the United States and Canada represents the most extensive scientific evaluation of animal traps ever

conducted. This effort was undertaken over a 15 year period pursuant to an International treaty to establish humane standards for traps. After spending tens of millions of dollars to evaluate all traps, many have been discontinued and replaced with new humane traps. Traps were evaluated on five criteria: animal welfare, efficiency, selectivity, practicality and safety.

Foothold traps used in accordance with the BMPs are versatile and selective for capturing free ranging wildlife and restraining them unharmed. In fact, such traps are routinely used by wildlife researchers to capture birds and mammals, including rare species such as bald eagles and Canada lynx, alive and unharmed for study.

In DEEP's experience, many public concerns associated with problem wildlife which must be removed occur in close proximity to public areas, recreational sites, businesses and roadways. The Department believes that the restrictions imposed by this bill would in fact increase threats to the health and safety of children by removing tools essential to the control of wildlife populations where these tools are most needed. For these reasons we must oppose Raised House Bill No. 5566.

Thank you for the opportunity to present testimony on this proposal. If you should require any additional information, please contact DEEP's legislative liaison, Robert LaFrance at 424-3401 or Robert.LaFrance@ct.gov